

# ENHANCING THE SYNERGY OF ENVIRONMENTAL REVIEW AND DEMOCRATIC GOVERNANCE PROCESSES

## *A REVIEW AND PRACTICAL STEPS TO IMPROVE THE ENVIRONMENT-GOVERNANCE LINKAGE*

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## LIST OF ACRONYMS AND ABBREVIATIONS

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ANCAP	Madagascar National Parks Service
CRS	Catholic Relief Services
D&G	Democracy and Governance
DNEF	National Directorate of Waters and Forests
EA	Environmental Assessment
EDGE	Environment/Democracy and Governance Exchange
EIA	Environmental Impact Assessment
EIS	Environmental Impact Statement
EPIQ	Environmental Policy and Institutional Indefinite Quantity Contract
ER	Environmental Review
ERP	Environmental Review Process
IEE	Initial Environmental Examination
IRG	International Resources Group
ITMs	Insecticide – treated materials
M&E	Monitoring and Evaluation
MOE	Ministry of Environment
NEPA	National Environmental Protection Act
NGO	Non Governmental Organization
NRM	Natural Resource Management
PAGE	A Support Project to Madagascar's Environmental Action Plan Project d'appui à la Gestion de l'environnement
PEA	Program Environmental Assessment
PERSUAP	Pesticide Evaluation Report and Safer Use Action Plan
PME	Participatory Monitoring and Evaluation
QMM	Mining Company
SSI	Small Scale Irrigation
WWF	World Wildlife Fund

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## EXECUTIVE SUMMARY

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The purpose of this report, requested by the Africa Bureau Office of Sustainable Development, Agriculture, Natural Resources, and Rural Enterprise Division, is to review the potential use of USAID's environmental review process (ERP) in broadening and deepening the promotion of environmental governance and to derive practical steps to maximize both environmental and democratic governance benefits. An important theoretical premise of this report is that the environmental review process is more than simply a way of ensuring environmental integrity in fragile rural African lands. Much more, this process is a proactive approach to bringing more transparency, accountability, participation, and predictability to rural Africans, as they attempt to develop their resources and improve their socioeconomic lot.

A review of USAID's environmental procedures and tools shows that they bear on governance in three senses: in collaborating in obtaining data (applicable to the initial scoping exercise); in the requirement for public notification; and in the role of monitoring, which potentially involves community participation.

The Africa Bureau's approach to environmental management builds on public participation and empowerment through the political process. The Bureau's direct link to governance is its 1997 strategic objective: Strengthened Cross-Sectoral Synergies between Democracy and Governance and the Africa Bureau Program in Key Areas. This initiative has resulted, over the past several years, in several USAID Mission efforts to apply that strategy to environmental and natural resource management. Programs in Guinea, Madagascar, Zambia and Zimbabwe, serve as examples of the deepening and strengthening of environment sector reforms through democratic governance. A key finding from a synthesis of country studies is that it is especially the process of decentralization and the consultative-participatory approach that contribute to the synergy of cross-sectoral links involving democratic governance.

A review of the Democracy and Governance Office program in sub-Saharan Africa points to a number of specific country and regional programs that fall under the rubrics of rule of law, elections and political processes, civil society, and governance. Its portfolios are directed at major, critical issues affecting centralized governments. These include corruption, the absence of transparency in government, poorly developed civil societies, among others. Efforts in cross-sectoral integration are thwarted by the fact that many of these centralized governments do not want to give up their power to local governments. It is precisely at the local government level, however, where most of the useful cross-sectoral democratic governance-environment programs took place. More generally, there is an absence of guidelines in the Agency for cross-sectoral programming and, furthermore, there are no incentives for USAID staff, at either the central or Mission levels, to participate outside their sectors.

A series of mini-case studies demonstrate the benefits and constraints to a cross-sectoral approach, which integrates environmental purposes and democratic governance aims in the same activity. These mini-cases attempt to represent a broad range of both environmental and democratic governance activities. Cases selected from Ethiopia, Guinea, Madagascar, Tanzania, and a sub-Saharan regional program reflect varying degrees of progress towards the achievement of the norms of democratic governance. While some represent fledgling attempts to marry the

environment to democracy and governance, others underscore the progress that can be made by employing the environmental assessment as a vehicle for the promotion of D&G.

The mini-cases are followed by a review of consultative-participatory techniques - specifically those applications that can enhance the ERP. Some of the USAID approaches cited earlier are good examples, as are several from The World Bank. While it has borrowed much of the basic framework of USAID's environmental procedures, in many respects - the World Bank has gone beyond USAID in elaborating methods and techniques for incorporating different forms of public participation in the ERP. Through the public consultative-participatory orientation of its environmental assessment approach, the World Bank has introduced numerous methods, techniques, and steps for interfacing with the public.

The eight-step USAID approach to the ERP provides a systematic framework for reviewing democratic governance techniques that are usefully applied to that process. All eight steps provide an opening for a consultative-participatory orientation, wherein emphasis is especially placed on the representativeness of affected groups and stakeholders and on issues of social equity. The consultative-participatory approach is incorporated into the ERP at the following eight points: (1) initial examination of issues, (2) in the scoping exercise, (3) public disclosure sessions, (4) the assessment itself, 5&6) finalizing the mitigation and monitoring plans, 7) implementation, and 8) evaluation.

Finally, we present a recommended approach to the strengthening of democratic governance in the ERP. A general recommendation is for the Africa Bureau Office of Sustainable Development—Agriculture, Natural Resources, and Rural Enterprise Division environment program managers to take the lead in organizing a comprehensive discussion, that would bring together a broad spectrum of environmentalists and democracy and governance specialists to dialogue on ways to operationalize the ERP, as a tool for promoting governance in the African rural context. The intention of such a dialogue is to employ the ERP as a proactive approach to bringing more transparency, accountability, participation, and predictability to rural Africans in their access to and management of the environment.

Following such a dialogue, a series of specific, individualized trainings should be considered. These will bring together environmentalists and D & G specialists with an interest in African rural development issues to discuss how to cooperate in enhancing the eight steps of the ERP outlined throughout this report. Possible training outcomes that will contribute to broadening and deepening the governance function of the ERP are presented.

A power point presentation developed specifically to accompany this paper has been designed to promote the synergizing of the democratic governance and environment linkage.

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# CHAPTER 1

## INTRODUCTION

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### A. PURPOSE

The purpose of this report is to:

1. Review the potential use of USAID's environmental review process in broadening and deepening the promotion of good governance.
2. Consider the potential value-added of such broadened and deepened governance to improved environmental assessment.
3. Provide practical steps to those implementing environmental reviews, so as to maximize governance benefits.
4. Provide practical steps to democracy and governance officials on the usefulness of the environmental review process, also in optimizing good governance.

The first part of the report presents existing approaches to the environmental review process. It also reviews democratic governance strategies used to enhance programs in the environment. The second part presents several mini-case studies of linkages between a narrower environmental governance and a broader democratic governance. A discussion on the linkages between environment and democracy and governance comprises the third part. Its takeoff point is the environmental review process and democracy and governance program objectives. The last part shows how the potential linkages between these two sectors might result in practical steps for both environmentalists and democracy specialists in enhancing governance in their fields and, by implication, in their respective program results.

This review has at least two distinct audiences, first, the above-mentioned democracy experts and, second, environmental specialists. A likely third audience is policy makers at both technical-sector and policy levels, including regional bureau and program and policy officials. While the report's focus is on the USAID Africa Bureau's Sustainable Development Office, Agriculture, Natural Resources, and Rural Enterprise Division - it will also look to other regions and other institutions for lessons learned and best practices. (See Annex 1 for the Scope of Work.)

### B. BACKGROUND

Since the late 1970s, all of the U.S. Agency for International Development (USAID) projects have been subject to an environmental review (ER) process, prior to Congressional obligation of funds. The ER process aims to eliminate or render tolerable any potential negative impacts on the physical environment of USAID interventions. It follows closely the legal and regulatory elements of the U.S. National Environmental Protection Act (NEPA) of 1969.

The NEPA, rooted in a long-evolving political culture - based on governance, rule of law, and civil society - incorporates many of the elements of what we might call "environmental governance." This concept embraces such traits as unconstrained advocacy, public participation, procedural openness and disclosure, careful drafting and review of laws, regulations, and

procedures, wide publication of results, means of recourse in law by affected or interested parties, and enforcement by statutorily empowered regulatory agencies at national and local levels. Representing elements of democracy and good governance generally, these are traits that we simply take for granted at home.

It is the relative absence of these traits in many of the countries assisted by USAID that the Agency's Democracy and Governance (D&G) program aims to address. Supporting democracy activities in developing and transition countries, this program focuses on four areas: rule of law, elections and political processes, civil society, and governance. The Agency goal is to help in political transitions by improving citizens' relations with their governments, promoting transparency, accountability, broad participation, and the protection of rights.

It is at the intersection of the more specific concept of environmental governance and the more general one of democratic governance, where the interests of Africa Bureau environmentalists and the D&G program converge. Such a convergence is at present somewhat theoretical, in that there is only limited collaboration between the two groupings in deepening and broadening environmental governance. This report hopes to provide the basis for bringing them closer together in exploring just that possibility.

**Theoretical Framework** — Our theoretical premise for the report is rooted in a political economy framework, namely, that the predominant resource for rural Africans is the natural resource base. Given that natural resources are their source of wealth and power, natural resource management and environmental review therefore become the basic avenues for the introduction of democratic governance in rural Africa. In this context the environmental review process is more than simply a way of ensuring environmental integrity in fragile rural African lands. It is much more than that: it represents a proactive approach to bringing more transparency, accountability, participation, and predictability to rural Africans, as they attempt to develop their resources and to improve their socioeconomic lot.

## **C. METHODOLOGY**

The methodology is based on interviews, review of documentation, and the development of mini-case studies. Interviews were held with representatives of both the environmental and democracy and governance fields (see Annex 2 for persons contacted). Documents include a broad array of mainly published reports, articles, official guidance, and other publications of USAID, the World Bank, and numerous non-governmental organizations. World Bank documents were included, particularly in light of the attention they give, at least implied, to aspects of governance in environment programs. Mini-case studies are based on examples that include important lessons learned and best practices on how to deepen and broaden the impact of environmental governance.

**Definitional Issues** — Many environmentalists use the term 'environmental assessment' to comprise all aspects of the environmental review activity, from the initial examination, through scoping, to public disclosure, the development of mitigation plans, and finally the putting in place of a monitoring system. However, because of the complexity and potential richness of the entire environmental review activity and its implications for introducing more proactive democratic governance interventions, we have introduced, for the purpose of this report, the broader concept of the environmental review *process* (ERP). This distinction will become clear, as we begin to



dissect the different pieces and levels of environmental review and to see how they are operationalized towards the goal of achieving democratic governance in the area of the environment.

A second definitional issue relates to our earlier-mentioned theoretical framework: namely, how to define 'environmental governance.' Here we use the term to mean a proactive approach to using the ERP to empower rural African people, so that they can benefit from access to and more rational use of natural resources. We also see this approach as rendering the process of environmental review more transparent, open to principles of accountability, more participatory, and ultimately more predictable.

## **D. ORGANIZATION OF THE REPORT**

Chapter 2 introduces the framework of the USAID environmental review process. It reviews the Africa Bureau approach to environmental management, as well as its democratic governance-environment cross-sectoral strategy. Then comes a review of the Agency's Democracy and Governance Office strategy and program. Chapter 3 presents several mini-case studies that illustrate the effects of improved linkage between the environmental review process and democratic governance. The fourth chapter covers the broader conceptual field of linkages between environmental and democratic governance, based mainly on donor and implementing partner approaches to making those linkages more responsive to the principles of governance and civil society. Last, Chapter 5 draws conclusions on the convergence of environmental and democratic governance, which serve as the basis for recommendations and practical steps for both environmental and democracy officers, on how to improve the environmental-governance linkage in Africa.

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## CHAPTER 2

# USAID ENVIRONMENTAL PROCEDURES, APPROACHES TO ENVIRONMENTAL GOVERNANCE, AND SUPPORT FOR DEMOCRATIC GOVERNANCE

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With the growing concern in the early 1970s for environmental protection domestically and internationally, USAID, in the late 1970s, began in earnest to put in place a series of safeguards. This resulted in a systematic development of Agency environmental procedures. In time, given a deepening concern for the political fate of USAID countries, an approach to democratic governance began to evolve. By the late 1990s, efforts were begun, perhaps more intensively in the Africa Bureau than in other Bureaus, to link the two fields, democratic governance on the one hand, and the environment, on the other.

Here, we first consider USAID's environmental procedures, with the aim of understanding the basic review process. We also glean from the procedures any implications for democratic governance, of which there are at least a few. Next we review the Africa Bureau's approach to environmental management, with the aim, again, of sorting out governance implications. Then we turn to the Africa Bureau's deliberate effort to link democratic and environmental governance, through a brief review of several of its Mission programs. We also review the Agency's Democracy and Governance Office's Africa programs. Finally, we briefly explore differences in approach to democratic governance, between USAID's Democracy and Governance Office and selected Africa Bureau Missions.

Rather than taking for granted the meaning of certain terms used throughout the text, we have defined these terms. These definitions are derived mainly from Groelsema's 2000 synthesis of democracy and governance cross-sectoral case studies, and are cast in a developmental context. *Democracy* is defined as: inclusiveness and wider participation in government and public affairs of marginalized and under-represented groups; it includes voice, empowerment, equal rights, representation, power-sharing, and ownership. *Governance* is the process by which the ensemble of public rules, policies, laws, codes, regulations, and guidelines are made and enforced; it includes principles of transparency, fairness, accountability, and responsiveness. Finally, *synergy* is the value-added or additional development benefits derived from the combined actions of two or more sector (or strategic objective) teams or Agency partners, that would not have occurred through independent action.

## **A. AN OVERVIEW OF USAID'S ENVIRONMENTAL REVIEW PROCESS**

### **1. ENVIRONMENTAL PROCEDURES AND TOOLS**

Agency environmental procedures are based initially on the Foreign Assistance Act of 1961, and, also on the Code of Federal Regulations, no. 22, Part 216, enacted in the late 1970s. USAID professionals refer to these procedures collectively as, "Regulation 216," or even briefer, as "Reg. 16." They are intended to "be used by A.I.D. to ensure that environmental factors and values are integrated into the A.I.D. decision-making process."

USAID environmental policy aims generally to help upgrade the quality of life of the poor in developing countries. Specifically, it is USAID policy to: 1) ensure the identification of environmental consequences of USAID financed activities, 2) assist developing countries to strengthen their capability to manage the environment, 3) identify impacts of USAID activities on the biosphere, and 4) define environmental factors that constrain development.

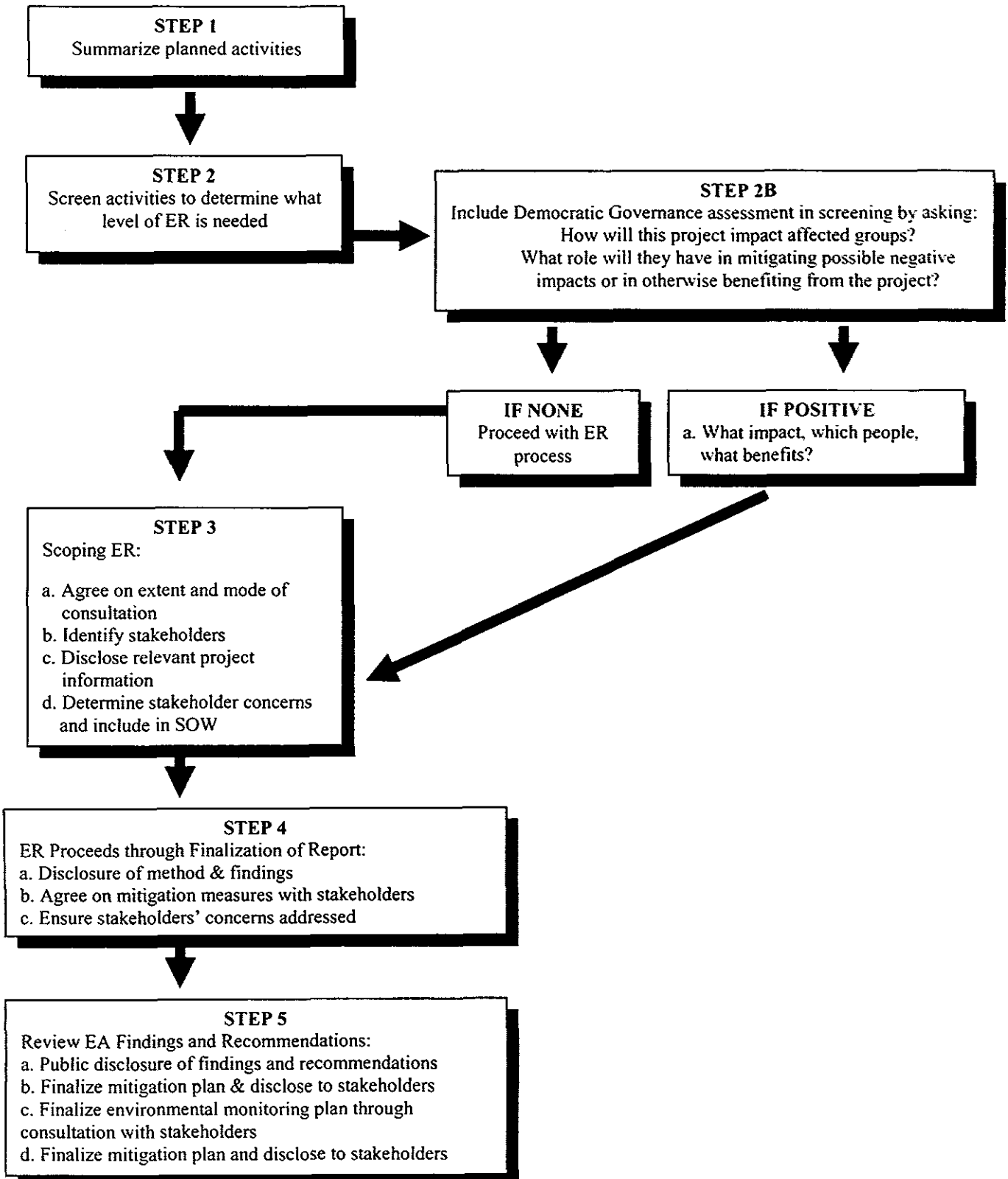
More recent inclusions, under the ER, are the conservation and sustainable management of tropical forests, compliance of global climate change activities with the Knollenberg Amendment for Climate Change-Related Programs, and actions necessary to conserve biological diversity. A separate biosafety determination was also added to the ER process, wherein a review was required, if an activity potentially involved the use of genetically modified organisms in research, field trials, or dissemination. For current purposes, the policy applies to societies in transition, as well as to developing countries.

Environmental procedures include several tools for ensuring the application of the above policy. The original language of Regulation 216 is used, so as retain the precise, intended definition. Listed in the temporal order in which they are carried out, the major tools and one intervening decision point are:

- ▶ First is the *Initial Environmental Examination* (IEE), which is the first review of the reasonably foreseeable effects of a proposed action on the environment. Its function is to provide a brief statement of the factual basis for a Threshold Decision, as to whether an Environmental Assessment or an Environmental Impact Statement will be required.
- ▶ Next, the *Threshold Decision* referred to in the above definition is defined as a formal Agency decision which determines, based on an Initial Environmental Examination, whether a proposed Agency action is a major action significantly affecting the environment. (A *significant effect* on the environment is one that does significant harm to the environment.) Scoping for a more intensive analysis can include the participation of, among others, representatives of host governments and public and private institutions, whose inclusion has implications for governance.
- ▶ Third, an *Environmental Assessment* (EA) is a detailed study of the reasonably foreseeable significant effects, both beneficial and adverse, of a proposed action on the environment of a foreign country or countries.
- ▶ Fourth is an *Environmental Impact Statement* (EIS), which is a detailed study of the reasonably foreseeable environmental impacts, both positive and negative, of a proposed action and its reasonable alternatives on the U.S, the global environment, or on areas outside the jurisdiction of any nation. It is a specific document that has a definite format and content.

## DEMOCRATIC GOVERNANCE AND THE ENVIRONMENTAL REVIEW PROCESS

The flow chart which follows illustrates the steps in the ER process and the points in the process where attention should be given to the issue of Democratic Governance.



- ▶ Last is the *Program Environmental Assessment* (PEA), which is used to assess the environmental effects of a number of individual actions and their cumulative environmental impact in a given country or geographic area - only if the impacts are generic or common to a class of agency actions or to other activities which are not country-specific.

## 2. APPLICATION OF THE PROCEDURES

As with many regulations, first stated is what is excluded from their purview. These so-called 'categorical exclusions,' are based on criteria that exclude the activity from requiring an Initial Environmental Examination (IEE), an Environmental Assessment (EA), or an Environmental Impact Statement (EIS). When an IEE is required, it includes a *Threshold Decision*, if the proposed action will have a significant effect on the environment; this is then followed by either an EIS or an EA. *Negative Declaration* means that an action having a significant effect on the environment is not required, because that effect has already been formally addressed in other Statements or Assessments.

The remainder of the applications language concerns details of the scope, procedure and content of a specific EA or EIS. Important to this process are vetting the results within USAID for review, and the inclusion of Assessments or Statements in the Agency project and program approval process. Monitoring is another recommended part of the design of an EIS or an EI. It is defined as "measurement of any changes in environmental quality, positive or negative, during [their] implementation." This requires, as stated, a data baseline, at the outset.

## 3. IMPLICATIONS OF THE REVIEW PROCESS FOR DEMOCRACY AND GOVERNANCE

The link of the ER process to governance occurs in the interface of that process with the human environment. In assuring against any adverse impacts on the human environment, the ER process stipulates several steps. Foremost is the stipulation of Collaboration with Affected Nation on Preparation. According to Regulation 216.6,

Collaboration in obtaining data, conducting analyses and considering alternatives will help build an awareness of development associated environmental problems in less developed countries, as well as assist in building an indigenous institutional capability to deal nationally with such problems.

A further requirement, under the more recent USAID Programming Policy on Environmental Procedures, is public notification. This procedure requires "providing reasonable notification to the affected public and, as feasible, encouraging public participation, review and comment on the Scoping Statements and their related Environmental Assessments and Environmental Impact Statements."

Relevant to governance issues is the role of monitoring, though it is not stated as such, under Regulation 216. Its relevance is that, at least for smaller, community-based projects, monitoring, in all likelihood, is to be carried out, in part, by members. Such an activity gives to these community members, first, the opportunity to actively participate in a donor-supported activity, and, second, at another level, provides a sense of ownership of the activity. In the case of the

second, monitoring by community members gives them a stake in coming to know and understand how a given activity is significantly affecting their immediate environment, while there is still time to avert negative effects. Even better, monitoring an activity under implementation allows community members to have input to improve their environmental conditions.

Public notification and community participation in monitoring are two of the important hinges in the environmental governance-democratic governance linkage. However, they represent only a small and very limited facet, of that linkage.

The following is an overview of the Africa Bureau's environmental management programs, with an emphasis on the broad aspects of governance inherent in them.

## **B. AFRICA BUREAU APPROACH TO ENVIRONMENTAL MANAGEMENT: IMPLICATIONS FOR GOVERNANCE**

One definition of the Africa Bureau's approach to environmental management is effectively captured in a 1996 technical paper on *Environmental Guidelines for Small-Scale Activities in Africa*. The approach, as defined, is "to promote environmentally sound development activities that build on principles of sustainable natural resource management." Furthermore, environmentally sound design is built on what that same document defines as "the public's participation and empowerment through the political process." Participation and empowerment, the document continues, is what will allow Africans themselves to "take charge of the environmental movement, directly at the grassroots level."

### **1. THE ROLE OF LOCAL POPULATIONS IN SMALL-SCALE ACTIVITIES**

In further specifying the role of grassroots, the above-mentioned *Guidelines* indicate that local populations should be involved at the outset of the design process. Implicit in participation in design and implementation is that "local resource users are more likely to develop a sense of responsibility and ownership." Extending the logic of this formula is the likelihood of an enhanced role for the community to become involved in monitoring long-term environmental impacts and the community's possible subsequent role in mitigating adverse environmental impacts. Women in particular are noted in this approach as being important carriers of knowledge about local resource management and as important local contributors to project design.

The *Guidelines* do not specify how participation and ownership are to be achieved – partly because these two conditions are not consistent across societies and economies, and therefore must be locally contextualized. Monitoring and evaluation is one area, perhaps, in which local participation can occur, because it is not so contingent on specific economic or sociopolitical conditions.

### **2. A PARTICIPATORY APPROACH TO MONITORING AND EVALUATION**

One of the most direct routes to environmental governance seems to be through participatory monitoring and evaluation (PME). The single caveat here, however, and a big one at that, is small-scale activities - where persons living in and affected by activities constitute a readymade

body of people who are by definition stakeholders, and who can be involved in collecting monitoring data. PME applied to large-scale projects may be less feasible because of the difficulty in locating distreet groupings of stakeholders who are directly affected.

World Wildlife Fund (WWF) has been involved with the Africa Bureau in developing PME locally-based data collection plans, as also described in the earlier-mentioned *Environmental Guidelines for Small-Scale Activities in Africa*. Early agreement among project participants as to what the baseline should be, and who should collect data, and when - is imperative in PME planning. This task is usually accomplished through a workshop. It will often result in the formation of a team of project personnel and interest group members. The team will collect data of direct relevance to the project purpose, as a routine implementation task. Community members of the PME team should be trained and paid for their work.

A further benefit of the locally-developed PME approach is that measurement of change is usually practical in character, reflecting issues and changes of local interest. In reporting its success with PME in the African context, WWF has noted, "participatory M&E strengthens participants' skills, promotes autonomy, and fosters the activity's long-term sustainability."

In order to enhance our understanding of the scope and variety of democratic governance opportunities, we will now review the Bureau's efforts in democracy and governance. This includes a look at the relevance of D&G work to environmental governance.

## **C. AN OVERVIEW OF BUREAU PROMOTION OF ENVIRONMENTAL GOVERNANCE IN MISSION PROGRAMS**

An important link of democratic and environmental governance is represented in an effort by the Africa Bureau's Office of Sustainable Development, Division of Democracy and Governance. Such cooperation is based on the 1997 strategic objective: Strengthened Cross-Sectoral Synergies between Democracy and Governance and Africa Bureau Program in Key Areas. This strategy is rooted, in part, in the idea that sectoral programming is the right vehicle for launching and sustaining governance reforms. In a paper by Walker on integrating democratic governance and sectoral work, he noted that, "sectoral programming and DG reform need to be seen as inextricably linked and mutually reinforcing and *not* as disconnected rivals." While perhaps a bit overstated, his point is well taken. We turn now to the field implementation of that concept, as it is embodied in the above strategic objective.

### **1. PROMOTING DEMOCRATIC GOVERNANCE THROUGH CROSS-SECTORAL LINKAGES**

The Bureau's strategy of creating cross-sectoral linkages through democratic governance, has resulted, over the past few years, in a conscious effort by several USAID Missions to implement that strategy. Case studies have been done by the Bureau on five countries — Guinea, Madagascar, Mali, Zambia and Zimbabwe — in cooperation with the Center for Development Information and Evaluation; this was followed by a Bureau synthesis. All of these case studies, with the exception of Mali, bear directly on the issue of environmental governance. The following highlights four of the five case studies.

**Guinea:** In fulfilling the strategy of Improved Local and National Governance through Active Participation, USAID/Guinea chose to work, in part, in natural resource management (NRM). NRM activities included work with village land management committees and with an inter-village forestry management committee. In the first, participation and leadership followed more traditional organizing rules, while for the second, it was based on a more representative selection. This latter approach resulted in an expanded participation, from the more traditional model of village notables. While participation was closely tied to the strict objectives of the NRM activities, thereby diminishing a more total empowerment of villagers, it nevertheless seemed to have given them a model for forming voluntary associations for future application.

**Madagascar:** In response to the USAID/Madagascar strategic objective, Biologically Diverse Ecosystems Conserved in Priority Conservation Zones, a bio-diversity conservation project was introduced. Governance links to this project included support of government bodies responsible for safeguarding ecological zones, empowerment of local communities directly affected by biodiversity, assistance to environmental NGOs, and collaborative work with all stakeholders, from international donors to local communities in problem-solving. Madagascar is only briefly highlighted, because it is presented in Chapter 4 as a mini-case study.

**Zambia:** USAID/Zambia, through its DG strategy, Expanded Opportunity for Effective Participation in Democratic Governance, developed an activity to promote responsible advocacy by civil society organizations. Specifically, as concerns environmental issues, the Mission has supported the process of building local organizational capacity to fill a gap created by the government's decision, in the early 1990s, to liberalize the management of wildlife facilities. Now, local communities, comprising village area groups, perform many of the previous duties of the wildlife ministry and district governments, by helping to manage local wildlife areas, including raising funds from the sale of tourist and hunting rights. A spin-off effect of this local activity has influenced the passage of the Zambia Wildlife Act in 1998, which empowers all communities to manage their local natural resources in the manner described above. This example is also presented as a mini-case in Chapter 4.

**Zimbabwe:** In Zimbabwe, the USAID Mission developed a program to devolve natural resource management from national to local levels. In so doing, it provided opportunities to integrate democratic governance into environmental programs. Specifically, the USAID-supported Zimbabwe Communal Areas Management Program for Indigenous Resources was the result of legislation to give rural district councils authority over wildlife (commonly known as CAMPFIRE). Based on the premise that local communities should be fully and directly involved in environmental and economic decisions, these communities found ways to locate sources for legal funds, they developed management skills, and, in sum, they succeeded in stabilizing poaching. In addition to the initial legislation, a sustainable wildlife resource that generated income and a committed, innovative national parks and wildlife management department were instrumental in the success of this program.

## **2. DEEPENING AND STRENGTHENING SECTOR REFORM THROUGH DEMOCRATIC GOVERNANCE**

A synthesis of the above country cases suggests that democratic governance strengthens sector reform. Sectoral reform, according to synthesis author Groelsema, provides societies with a laboratory for developing democratic culture. Furthermore, he suggests that:



Promoting democratic governance principles, such as participation and advocacy through sectoral lenses, serves the objectives of empowering people to participate more fully in the management of local services, improve their quality of life, and gives them opportunities to interact with their government and to hold it accountable.

A key finding from the synthesis is that both the process of decentralization and the development of civil society contribute to democratic governance links. In the country cases, it was found that Missions focused on the democratic governance-sector linkage mainly at decentralized levels. For the environmental projects, Missions also tended to support community-based natural resource management groupings.

There are also contextual and organizational factors that facilitate the DG-sector linkage, in leading to program and project success. These are:

- ▶ Host country receptivity to democratic change;
- ▶ Mission leadership sympathetic to DG synergies;
- ▶ DG synergy, a shared strategic priority among Mission staff (and there is staff continuity);
- ▶ New Mission organizational structures to implement linked programs, and
- ▶ Innovative Mission planning, due to a "new look" at how to use earmarked funds.

However, there are also significant constraints to cross-sectoral integration, some of which are:

#### ***Contextual***

- ▶ Limited incentive for centralized governments to decentralize power to local government

#### ***Policy***

- ▶ Congressional earmarks which promote stove-piping;
- ▶ Absence of clear review guidelines for cross-sectoral programs, and
- ▶ Lack of institutional incentives for linkage (i.e., for USAID staff to engage in it)

#### ***Operational***

- ▶ Measurement of cross-sector impact;
- ▶ Contractual modes restrict options;
- ▶ Linkages require more staff effort;
- ▶ Staff specialization, turnover and lack of cross-sector training, and
- ▶ Demands more organizational complexity and greater communications.

Generally, the type of DG-linkage to sectoral reform described above does not especially fit the USAID organizational management mold. We have not seen the last of this overall constraint, and especially the one concerning the absence of incentives for USAID staff to go outside their sectors to engage in cross-sectoral synergies.

## D. USAID DEMOCRACY AND GOVERNANCE OFFICE

The overall Agency goal in democracy and governance is to help in political transitions, by improving citizens' relations with their governments, promoting transparency, accountability, broad participation, and the protection of rights. A subset of this goal is the stated purpose of USAID's Democracy and Governance (D&G) Office, which is to support democratic governance, in order to promote political transformation and democratic consolidation. It supports democratic governance in the following ways:

### USAID DEMOCRACY & GOVERNANCE OFFICE SUPPORT OF DEMOCRATIC GOVERNANCE

1. Promotes and protects human rights.	5. Makes integrity, accountability, transparency, and responsiveness to citizens at all levels of governance the norm.
2. Promotes the rule of law.	6. Overcomes the insidious legacies of authoritarian rule.
3. Reinforces the principles of inclusion, participation, and competition in all sectors of society.	7. Facilitates a deepening of citizen participation and cultural commitment to democratic norms.
4. Strengthens public and private institutions of democratic governance.	8. Reinforces the links between political development and both economic and social development.

The above activities contribute to "inclusive, democratic processes believed to be fundamental in building states capable of preventing violent conflict." On the premise that democratic governance permeates all good development, the D&G Office believes it has a more general role in incorporating lessons learned into all development programs. While the D&G Office supports, in principle, a cross-sectoral approach to democratic governance, it, in fact, involves itself only in limited cross-sector work.

An exception to this finding is the Office's collaboration with the Biodiversity Support Project. This is an opportunity to share democratic governance experiences across sectors. It resulted in a standing working group of participants in the Environment/Democracy and Governance Exchange (EDGE). EDGE is a series of workshops "aimed at deepening our understanding of linkages and ultimately aimed at developing Agency guidance to ease implementation across sectors." To date, as far as we know, EDGE has not resulted in field-based programs.

#### 1. APPLICATION OF D&G OFFICE OBJECTIVES TO AFRICA BUREAU PROGRAMS

The D&G Office has four distinct objectives, defined in the table below, and delineated by their presence in Africa Bureau operating units, or in country and regional programs.

## DEMOCRACY & GOVERNANCE PROGRAMS IN AFRICA\*

Objectives	# Country & Regional Programs
<b>Rule of Law:</b> Legal systems operate more effectively to embody democratic principles and protect human rights.	16
<b>Elections and Political Processes:</b> Political processes, including elections, are competitive and more effectively reflect the will of an informed citizenry.	15
<b>Civil Society:</b> Informed citizens' groups effectively contribute to more responsive government (revised from FY 02 annual report).	23
<b>Governance:</b> National and local government institutions more openly and effectively perform public responsibilities.	20
Total country and regional programs in Africa with democracy and governance objectives	27

\* "Improving Democracy Promotion: FY 2000," USAID Center for Democracy & Governance

The D&G FY 2000 Annual Report was used, because it breaks down the objectives by country and regional programs, whereas more recent reports do not provide that breakdown. The following is a sampling of the types of programs by objective and country:

Under **Rule of Law**, the D&G Office supports justice sector assistance activities, as part of its transition program in Nigeria. In Rwanda, it supports the prosecution of the most serious cases resulting from the 1994 genocide. A criminal justice reform program is being implemented in South Africa, in cooperation with the U.S. Department of Justice.

As part of the **Elections and Political Processes** objective, the D&G Office provided assistance to Zimbabwe, in pre-election program design, including a pre-election assessment and election-day observation. It gave election assistance to Guinea-Bissau, Mauritius, and Niger. In Cote d'Ivoire, support was given in developing a post-coup election strategy, and local civil society organizations monitored and documented flawed elections processes. It assisted Nigeria in developing political parties. Under the umbrella of the Consortium for Elections and Political Process Strengthening, the Office provided assistance to 14 sub-Saharan countries. It also supported regional activities, through the Association of African Election Authorities.

Under **Civil Society**, the D&G Office initiated a series of survey assessments of civic education, in several countries, including South Africa. It carried out field studies in Ghana, South Africa, Uganda, and Zimbabwe, on civil society links to economic growth. It supported work with the free trade union movements in South Africa, Zimbabwe, Nigeria, Kenya, and Ghana.

**Governance** support included assistance to Nigeria, a democracy priority country, in anti-corruption, civil-military relations, and decentralization and democratic local governance. Legislative strengthening was provided to Kenya, Rwanda, and Uganda. Local government assistance has been given to Nigeria and Namibia.

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It is important to note that at least three of the D&G thrusts have a potential, direct effect on democratic governance. These are rule of law, civil society, and governance. Even elections and political processes could have a link, for example, if a developing country political party ran a 'green' candidate for elective office. As with elections, the other D&G program objectives have in fact not been closely linked to promoting democratic governance through the environmental review process. One of our premises is that this can be viewed as a missed opportunity, on the basis of which this report intends to provide a series of corrective measures.

## **2. DIFFERENCES IN CENTRAL D&G OFFICE AND MISSION DG APPROACHES**

By now it should be clear that the approaches to democratic governance used by selected individual Mission DG offices and by the central D&G Office are different. As we have seen, several Africa Bureau Missions have developed cross-sectoral programs that integrate democracy and the environment. This requires the cooperation of two offices in design and implementation and in management-administration. It would be far more difficult for the D&G Office to collaborate in a similar way with other Bureau offices, given the existence of separate budgets, as well as several other management organization distinctions. Some of these are spelled out below.

First, the D&G Office manages portfolios which, for many African countries, are directed at major, critical issues affecting centralized governments. These include corruption, absence of transparency in government, poorly developed civil societies, among others. Related is the fact that many of these centralized governments do not want to give up their power to local governments - as mentioned in an earlier section on constraints to cross-sectoral integration. It is precisely at the local government level, however, where most of the useful cross-sectoral democratic governance-environment programs, that we reviewed earlier, took place. This, of course, is not to preclude central governments from such cross-sectoral programs.

Second, there is an absence of transparent design, implementation, and measuring-monitoring-reporting guidelines, for such cross-sectoral programming. Moreover, there are no incentives for USAID staff, at either the central or Mission levels, to participate outside of their sectors. Mission staff, however, does participate - either because it is necessitated by the Mission strategy, and/or because there is professional satisfaction in seeing the synergy of cross-sectoral projects.

Another distinction in how central offices and Missions operate, is that staff specialization may not pose a constraint to Missions, because of the relative ease of forming interdisciplinary teams. Whether cross-sectoral programs are present or not, many Missions, worldwide, have strategic objective teams that are cross-disciplinary. The organizational demands that such cross-disciplinary efforts put on central offices, seem to inhibit this practice in Washington.

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## CHAPTER 3

### MINI-CASE STUDIES OF ENVIRONMENTAL GOVERNANCE

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A series of mini-case studies is developed to demonstrate the benefits and constraints to a cross-sectoral approach to integrating environmental purposes and democratic governance aims in the same activity. These mini-cases attempt to represent a broad range of both environmental and democratic governance activities. Cases were selected from Ethiopia, Guinea, Madagascar, Tanzania, and the sub-Saharan regional program. While these are, by no means, exhaustive of environmental assessments done in Africa, they do reflect some important distinctions, including:

- ▶ Geographical diversity.
- ▶ Differences in environmental policy and practice.
- ▶ The variety of USAID approaches to the environmental review process.
- ▶ Types and levels of citizen participation in environmental programs, and
- ▶ A diversity of environmental issues.

One overall constraint to using the case study approach is that there has not been much detailed documentation of activities in environmental governance. Where issues of governance are addressed, these are often not the focus of a particular document. Furthermore, most documented cases describe local level, grassroots activities, which tend to highlight participation, in contrast to other aspects of democratic governance. Documentation of higher level, rule of law and civil society aspects of good governance usually involves a study of policy or legislative change, which are difficult to document in other than general terms. Nevertheless, we will use some of the more robust examples, in attempting to craft a realistic picture of the opportunities and constraints of the environmental review process, for addressing environmental governance concerns.

#### **A. MINI-CASE 1: CO-MANAGEMENT OF RESERVED FORESTS IN GUINEA**

##### **1. BACKGROUND**

This study is based on a programmatic environmental assessment (PEA). The assessment was performed for USAID/Guinea, under the Environmental Policy and Institutional Strengthening indefinite quantity contract (EPIQ), in early 2001. A PEA of the potential environmental impacts of co-management activities was proposed to cover forests targeted by USAID.

##### **2. THE ISSUES**

Over 100 reserved forests across Guinea have been the object of a growing population's invasion, in order to meet its basic household food security and income needs. This is mentioned here in the context of the national government's inadequate control and management of these forests. As a result, USAID began to support a co-managed approach to safeguarding reserved forests, in which the communities and government services would cooperate.

### 3. CO-MANAGEMENT AS A MODALITY FOR ENVIRONMENTAL GOVERNANCE

With government unable to fund the control and management of reserved forests, and with a growing encroachment of nearby populations, a participatory management approach was evolved, as the best choice for improved public stewardship of these forests. The approach calls for shared decision-making concerning the "destiny and use of the forest and a sharing of the benefits derived from its protection, conservation, and utilization among the adjacent villages." It is based on a codified, written agreement between a village-based Forest Committee and the National Directorate of Waters and Forests (DNEF). The agreement includes management requirements, based on a fixed valuation of the resource base, and aims at providing villagers with near-term benefits, in exchange for longer-term trade-offs needed for sustained management and use. Roles and responsibilities for each party are stipulated in the agreement, including methods of resource use and their limitations, protective measures, and how to share revenues.

The assessment team noted that in developing management plans for different forests, planners had unintentionally interpreted the original plan too literally, as a template, without reference to exact land-use capabilities. Detailed management planning must be based on baseline studies and interactions with affected communities, and on careful analysis of the different forest conditions and differential population pressures.

Some of the limitations and opportunities for use of forest lands by villagers include the following management planning elements:

- ▶ Preventing permanent conversion to other land uses;
- ▶ Protection against fires and fire management;
- ▶ Limiting the duration of cultivation on gentle slopes;
- ▶ Excluding production activities near sources of water courses along their banks;
- ▶ Introducing agroforestry in selected areas;
- ▶ Limited access for grazing;
- ▶ Introducing timber and firewood harvesting for commercialization;

Such limitations and opportunities will differ depending on the precise ecological makeup of a specific area. Thus a critical element in the development of the co-management approach is careful matching of land-use to land capabilities.

### 4. ENVIRONMENTAL AND DEMOCRATIC GOVERNANCE IMPACTS

While environmental impacts of co-management can be derived directly from the assessment, democratic governance impacts are not so easily determined. They must be inferred from the assessment, since they were not the deliberate object of the review.

One clear environmental result, based on smaller reserved forests not included under the co-managed approach, is that they have "been completely overrun by local people and the forest cover eliminated along with its productive potential and protection functions." The tendency will be for population pressures around reserved forests to increase, accompanied by a push factor, in response to a need for land and new food resources. Thus, marginal and fragile lands would be cleared and cultivated and, in the absence of erosion controls, lead to land deformation and soil depletion. In its advanced stages, this process would lead to impact on the watershed, including downstream flooding and loss of continuous water sources.

The inadequacy of using a management planning template across all reserved forest areas and communities has been noted. Can we make the same statement about the human, community-based aspect of co-management? This is certainly the case, in light of the fact that community organizational planning requires the same care as environmental planning. Factors such as status, gender, age, lineage, and land tenure patterns are as important to social management planning as are environmental factors to that planning process.

The assessment points to the fact that "the socioeconomic and institutional dimensions have consistently proven to be the most difficult facet of these programs to put in place." This occurs, in part, because of a resistance of communities to change - in this case moving from a state of conflict with forest authorities to one of conciliation. Some of the factors that go into a community making the 'right' environmental choices are presented in the accompanying box. Sorting out these factors requires systematic social research and planning, including a baseline for tracking socioeconomic and political change.

#### Community Choices in Co-Management

Several factors influence choices about how a community shares forest resources:

- ▶ Uncertainty about land and tree tenure issues;
- ▶ Concern about share in benefits;
- ▶ Degree of stakeholder representation in planning & implementation;
- ▶ Poor understanding of roles and responsibilities;
- ▶ Poor estimates of cost-benefit: real costs underestimated, benefits overestimated;
- ▶ Management plan not attuned to potential for conflicts of interest;
- ▶ Costs of management not internalized, creating social welfare orientation;
- ▶ Absence of sanction for not adhering to community consensus.

## 5. ENVIRONMENTAL GOVERNANCE: FACILITATING SOCIAL CHANGE

Participation as an approach to co-management, was, in effect, 'necessitated' by the fact that people living in and around the forests were using them, in the absence of any rules. In effect, the residents had a free ride. Co-management required that local residents "make collective and relatively consensual choices and decisions about the use (limits) and sharing of resources." The approach includes an agreement, based on knowledge of resources management and participatory consultations with a grouping of villages. These consultations determine how the DNEF and the Forest Committee will work together in proposing solutions, responses, and interventions. They also fix the roles, rights, and responsibilities of the DNEF and the Committee in implementing the agreement.

The assessment team also has suggested that perhaps too much is expected too soon of building governance structures for co-management. Incremental steps, including the establishment of interest groups (based on such user groups as hunters, herders, sawyers, beekeepers, fuelwood artisans), are suggested as a possible alternative to starting "full force" with the Forest Committee. The Committee would then become an arbiter of conflicts among the interest groups. Another step would be to promote understanding and transparency among the present, complex "multi-tiered village-level management structure," on a more gradual basis. Such understanding and transparency will become critical with respect to the eventual production and investment trade-offs, for they will make or break the sustainability of the management plan.

The assessment team also feels that having all the pieces of the management plan and all the parties to it arranged at the outset is asking too much. Rather, it suggests a simplification based

on the original experience. This would take the form of a model contract that is implemented incrementally, based on a series of steps tied to increased understanding and growing progress.

The assessment includes recommendations for incremental implementation of the co-management plan. It is noted that we have not covered some of the more complex governance issues, including the financial and economic costs of co-management, its legal status, and the role of local NGOs. Finally, the assessment raises the critical question of how much the co-management model is driven by external consultants versus local forces.

## **B. MINI-CASE 2: MADAGASCAR — A SHOWCASE OF ENVIRONMENTAL ACTIVISM**

Madagascar is in one sense a difficult example for a case study, because there is so much environmental work going on there. Much of that work is linked closely and consciously to democratic governance processes. In order to give a sense of the variety of this effort, we have chosen three types of activities that reflect various aspects of environmental governance. In this case, we err on the side of variety, sacrificing some of the depth reported in the previous case.

### **1. BIO-DIVERSITY CONSERVATION: BUILDING ON DEMOCRATIC INSTITUTIONAL CAPACITY**

Already alluded to earlier in our review of Africa Bureau assistance in cross-sectoral linkages, this USAID-supported bio-diversity conservation project addressed several aspects of governance. As presented in a report on cross-sectoral linkage in Madagascar, completed by USAID evaluators Lippman and Blue, governance elements are witnessed in the project in the following way:

- ▶ Support of government bodies responsible for safeguarding ecological zones;
- ▶ Empowerment of local communities directly affected by biodiversity;
- ▶ Assistance to environmental NGOs, and
- ▶ Collaborative work with all stakeholders, from international donors to local communities in problem-solving.

This project is an example of a USAID Mission's integrated approach to an environmental situation directed at building democratic institutional capacity. Here, local communities, NGOs, and the government itself have come together to cooperate in a complex institutional environment.

The project, in meeting an economic growth objective, also found "ways to meet the resource needs of its population without compromising the diversity of its biological resources." It reflects a shift in USAID/Madagascar's strategy, dating to the 1980s, "from a top-down, regulatory emphasis, to turning the people living in threatened zones into protectors and stakeholders." Thus, people who live in, or in the vicinity of threatened areas become partners with government, in a win-win situation, in which government agency roles changed from "gatekeeper to technical partner allied with stakeholders in conservation, management, and preservation." Not to be left out of this paradigm, are the demand side, environmental advocacy organizations. USAID has supported their organizational capacity, as part of its dual strategy to



tap and build on civil society energies, as well as to help meet its biodiversity conservation objectives.

## **2. THE ROLE OF ENVIRONMENTAL EVALUATION IN PUBLIC REVIEW OF A MINING FACILITY**

With support from USAID, a first ever, comprehensive public review process was initiated in Madagascar to review the environmentally controversial issue of establishing a mine in a fragile zone. The QMM mining company had been exploring options to develop an ilmenite mining operation in a fragile area containing some of the last remaining pieces of littoral forest in the country. On the other side of the issue, was the huge economic boost that the mine would give to this poor region, the country's largest single private sector investment.

The mine became an issue, in the face of international and local NGOs, who argued "that QMM should invest more in environmental conservation actions as an actor and partner in the region" - and as other forces weighed in to take the economic benefits side of the argument. The public review process was assisted technically through USAID-supported International Resources Group (IRG) PAGE (Project d'Appui à la Gestion de l'Environnement or A Support Project to Madagascar's Environmental Action Plan).

QMM itself undertook an effort, in early 2001, to address both the social and environmental issues of its proposed project, through its own environmental impact assessment (EIA). At the same time that QMM presented its EIA, the government set up a technical evaluation committee to review the document. Simultaneously, the public review process was begun, and the Ministry of Environment (MOE) issued a set of regulations stipulating that the public review process be followed in all investments that had undergone an EIA.

A Public Review Commission then set up and managed public surveys in communities inhabiting the area of the proposed mine. At these surveys, QMM presented its proposal and public opinion was registered. Three large public audiences were also held in urban centers to air the issues. After considerable negotiation, the MOE rendered the Government decision to award QMM an environmental permit. The permit is accompanied by detailed conditions that comprise the project's environmental management plan, including issues of a nearby dam and forest regeneration impacts.

The public review process used for the QMM mine serves as a model for future conduct of public reviews. It applies equally to large and small economic activities, and in many sectors. Briefly, another way of looking at the EIA public review process is as "an instrument for conflict management," as IRG's chief of party DeCosse has called it. In this case, the conflict is defined between QMM and the State, among officials of government ministries, between local and international environmental NGOs and QMM, and among public groupings.

The EIA and public review process together served to clarify the public's rights and responsibilities in the process. Finally, the process "set a high standard for transparency and participation, increased local involvement," and "set a precedent for public participation in international investment processes."

### **3. A BIODIVERSITY FUND**

In response to the need to manage over 17 thousand square kilometers, spread over 46 national parks and reserves, Madagascar set up the equivalent of a national parks service, known as ANGAP. ANGAP's goal is to protect these remotely situated areas, in order to preserve representative ecosystems. While tourism to view biodiversity in its natural habitat is what draws most tourists to Madagascar, it does not produce enough revenue to support the needs of ANGAP. Presently, parks protection funds come mostly from international donors. Hence, the birth of a more self-sustained financing method for that purpose.

Known as a biodiversity trust fund or the Madagascar Parks Trust Fund, the fund is aimed at creating greater financial autonomy. It has the potential to attract funds from both traditional and private sector donors. Under the same USAID-supported PAGE, technical assistance is being rendered, in cooperation with Conservation International and World Wild Wide Fund for Nature. A trust fund specialist has completed an initial feasibility analysis, as well as brought some lessons learned from others' efforts to establish such a fund, including the need to ensure "good governance and transparent financial management." Included in good governance is the government's own political and financial support, often a criterion for others to follow with their own contribution. Also reflecting an aspect of civil society participation, the process of creating a new trust fund entails significant consensus building on the part of government, environmental organizations, and private sector groups.

### **C. MINI-CASE 3: ASSESSING ROAD IMPROVEMENTS IN TANZANIA'S NATIONAL PARKS**

This mini-case is of a 'Programmatic Environmental Assessment (PEA) for Road Improvements in Tanzania's National Parks,' carried out for the National Parks agency and USAID/Tanzania in early 2000. The PEA was carried out in response to growing exposure of tourists to the country's parks, which contain "some of the world's most diverse ecosystems, treasured because of their wildlife concentrations and rare beauty." Yet, dramatic increases in the number of park visitors contribute to an increased proportion of revenues in the tourism sector of Tanzania's economy.

#### **1. SCOPING THE ISSUES: WHO ARE THE STAKEHOLDERS?**

Road construction and rehabilitation would rationalize visitor access to the parks, and take the pressure off resources in core zones. Through appropriate strategic planning, it seemed possible to increase the size of road-trail networks, "without jeopardizing biodiversity or exceptional resource values." The PEA, which was designed to test these issues, was carried out with a high level of technical expertise and precision and attention to details of the physical environment.

Once it was decided to do a PEA, a scoping process was developed to provide a "full consultation with stakeholders, including a range of all affected parties." The only major issue identified during scoping that bears on surrounding parkland communities was that of "changes in access to schools and other social services." It is not clear, upon a diligent search of the elaborate documentation of this PEA, who the stakeholder group is, how its composition was decided, and how the issues that emerged reflected the "range of all affected parties."

Additional clues to the role of affected parties come in a later chapter of the PEA that includes a section on recommended mitigation measures. One is to have tour operators, stopping in communities bordering parklands, include cultural awareness and sensitivity in their lectures for tourists. Another is to “work with communities and district councils to encourage enforceable plans for managing the aesthetics of development along roads outside the parks.”

In addition, the major socioeconomic characteristics are described in some detail, including geographic context, major ethnic groups, population dynamics, and land use patterns. However, there is no evidence that these data are related to - if and how these groupings would be affected by proposed new or improved roads. Nor is it clear how they might participate in the process of shaping the results of the intervention. Again, we underscore the proviso that there may be some critical data missing from our review of this PEA.

The USAID Environmental Review Process specifies several procedures, including collaboration in obtaining data, conducting analyses and considering alternatives, and in building an awareness of development-associated environmental problems. If these procedures were fulfilled in this PEA, it is not self-evident with respect to the parkland surrounding communities. Furthermore, it is not clear that the public notification procedure, required under Regulation 216, was carried out.

If our interpretation is correct, then one important aspect of democratic governance seems to have been omitted from the environmental review process. That is the civil society factor of citizen participation. More specifically, if our assumption is correct, that surrounding parkland communities did not have significant input to the scoping exercise, then this PEA appears not to have met one of the important criteria that define civil society. That criterion is the role of informed citizens' groups

in effectively contributing to more responsive government.

## **2. THE ROLE OF THE PEA IN FULFILLING RULE OF LAW AND GOVERNANCE NEEDS**

Recalling from Chapter 2, a key aspect to fulfilling the rule of law is that legal systems operate more effectively to embody democratic principles and protect human rights. In the context of Tanzania parkland roads improvements, the USAID focus was not simply on environmental protection of fragile ecosystems, but also, in particular, in the Government's capacity to manage these ecosystems and biodiversity. Thus, USAID's strategy included, as an intermediate result, the application of key natural resource management policies. This result included implementation of the new 'Wildlife Policy of Tanzania,' which included support for drafting legislation, regulations and procedures. These legal acts clearly embody what we refer to as the rule of law.

In addition to working with government institutions in supporting environmental policy reform, USAID assisted several community-based organizations and NGOs. The purpose was to increase organizational skills in natural resource conservation. This combines aspects of both rule of law and civil society development. Community-based conservation activities included assistance to communities to obtain legal authority to manage wildlife, and to “develop and implement collaborative district and community-level plans for use and management of natural resources in communities adjacent to protected areas.” These activities are funded by the USAID-assisted Participatory Environmental Resources Management project. It is not clear if

these activities were identified, either through the PEA or through some other environmental review process.

An important issue raised in the PEA is how much of a role local government plays in managing the environment. This issue impinges directly on the function of governance, or on the role of national and local government institutions in more openly and effectively carrying out their public responsibilities. This issue has historical roots in Tanzania, since in 1972, local government authority was abolished, then returned in 1982. Presently, the central government feels that the importance of environmental management means that it should fall into its purview. Central government's rationale is that local government has neither the finances nor manpower to manage natural resource effectively. While it may not be the role of a PEA to touch on such subjects as the benefit of devolution of power and local generation of revenues - the fact that these are not alluded to in the assessment is puzzling.

The PEA did not explicitly discuss the role local government could play in environmental management. Nor did it provide a rationale for why the process of public notification was not followed in the PEA. Broader stakeholder participation and notification of the public regarding key issues might have enhanced what is otherwise an impressive technical document.

#### **D. MINI-CASE 4: ASSESSMENT OF INSECTICIDE-TREATED MATERIALS — LOCATING THE HUMAN FACTOR**

A 'Programmatic Environmental Assessment for Insecticide-Treated Materials in USAID Activities in Sub-Saharan Africa' (by USAID environmentalists Hirsch, Gallegos, Knausenberger, and Arata) is a thoroughgoing study of the benefits and risks of insecticide-treated bednets and curtains used to control the malaria vector. The gist of this assessment is that insecticide-treated materials (ITMs, which kill and repel mosquitoes) can significantly reduce malaria transmissions, while at the same time minimizing tangible risks to human health and the environment to an acceptable level. That said, this is a difficult case to analyze for its incorporation of democratic governance, since it is an assessment of "environmental impacts that are common to all USAID programs involving insecticide-treated materials." Its evidence is based on an interpretation of surveys and laboratory tests, not on a field situation in which human subjects interact with an assessment team.

##### **1. MAKING THE LINKAGE TO GOVERNANCE**

A few of the analyses provided by the assessment, presented to give a sense of its broad scope, are of insecticide loss over time by washing, rate of mosquito resistance development, review of other agency use of pesticides, and a survey of risks to humans. It is the last category, risks to humans, that provides the link to a consideration of 'citizen participation' in the assessment. Such participation is 'passive,' in which individuals are research subjects. The major focus of such research is the accidental exposure of children (especially newborns) and women to poisoning.

An important element of applied programs in mosquito control is labeled 'integrated vector management,' which includes a program in public education. Public participation is seen to play a part in reducing breeding sites of domestic mosquitoes, while education is especially useful during epidemics in informing the public about mosquito habits and protection against attacks.

Education is also important in informing consumers in pesticide safety. For example, USAID recommends field testing of educational programs and materials involved in developing a home pesticide treatment for nets. Another aspect of public involvement is the development of an accidental poisoning response capacity, particularly the responsiveness of local health facilities.

In adhering to USAID environmental review procedures, the PEA stipulates quality control and monitoring of ITM pesticide products. It requires monitoring for adverse health and environmental impacts and unsafe practices. The assessment, in assuming automatic public health monitoring and evaluation (M&E) of ITM interventions, proposes building in environmental criteria to such M&E activities.

Another aspect of governance addressed by this assessment is the need to support

the creation of local capacity to regulate ITMs. Given severe limitations of African country capacity to regulate pesticides, it is imperative to "strengthen the national, regional, and local government regulatory structure, which will have the role of assuring the efficacy and safe use of ITM products and other pesticides over the long run." In a very general way, this imperative fits the criterion for governance that we have been using, namely that national and local government institutions more openly and effectively perform public responsibilities.

## 2. USAID REQUIREMENTS FOR MITIGATING LOCAL-LEVEL RISK

According to this PEA, USAID has its own internal mechanism for pesticide risk assessment, known as "Pesticide Evaluation Report and Safer Use Action Plan" (PERSUAP). PERSUAP reflects Agency environmental review procedures, but takes it several steps further because of the controversial nature of pesticides. Guidance for the development of a PERSUAP includes several steps that bear on governance (namely the SUAP portion), especially if it is carried out in collaboration with local government officials. Some of those steps are:

- ▶ Host country's ability to regulate or control the distribution, storage, use, and disposal of the requested pesticide;
- ▶ Provision for training of users and applicators; and
- ▶ Provision made for monitoring the use and effectiveness of a particular pesticide.

An annexed questionnaire in the PEA on environmental impact of insecticide-treated bednets directly addresses user needs on handling ITMs. This implies a program in information, education, and communication directed to users, though this is not explicitly stated. In any case, what is clear is that whatever program is used to inform users of benefits and risks of ITMs, "educational materials should be field-tested to assure that they effectively communicate the necessary information." Also annexed are instructions for treatments in the case of pesticide poisonings.

## **E. MINI-CASE 5: PROGRAMMATIC ENVIRONMENTAL ASSESSMENT OF SMALL-SCALE IRRIGATION IN ETHIOPIA**

The need for small-scale irrigation (SSI) in Ethiopia is historical, rooted in centuries of drought and famine. Its high rates of malnutrition and disease are a primary effect of the country's food scarcity. As stated in the PEA of SSI, "irrigation increases the potential for producing more food more consistently in the drought-prone food-insecure areas." This PEA, carried out by Catholic Relief Services (CRS), has several purposes, which are to:

- ▶ Identify environmental issues early in the planning stage;
- ▶ Improve understanding of state-of-the-art SSI;
- ▶ Build staff capabilities and organizational systems, and
- ▶ Facilitate compliance with statutory requirements of Regulation 216, as these apply to SSI activities.

### **1. THE SCOPING PROCESS: PROACTIVE CONSULTATIONS WITH TAKEHOLDERS**

An extensive series of consultations were carried out by the CRS team with government officials, other cooperating sponsors, USAID and other donors, NGOs, and with staff and farmers based on a one day field visit to an SSI site. Semi-structured interviews elicited a number of issues that can be characterized as socioeconomic, community organizational, and health-related. Examples of these issues include building on traditional practices, community initiative, strong water user association, good market access, profitable investment, and increased diarrhea due to drinking canal water.

In addition to listing technical and environmental health issues, the scoping exercise resulted in a separate list of social issues. This includes the irrigation management structure, under which falls: land tenure, hydraulic tenure and water rights, conflict resolution, community participation in design, operation and management, and women's participation. Each of these is then defined, so as to give a sense of the complexity of the issues involved, including such difficult ones as who owns, has tenure, or otherwise controls land and water. These, in turn, affect how the irrigation will be managed, including rules for sharing water, and scheduling production and irrigation. Avoiding or resolving conflict over competition for scarce water and land resources is another aspect of the social complexity of SSI systems. Also, ensuring a continued role for women in irrigation management and irrigated cropping is listed as important to both the equity issue and the need to continue women's important productive contribution.

### **2. CONVERGENCE OF ENVIRONMENTAL AND SOCIAL ISSUES**

This PEA is written in such a way that environmental issues almost never stand alone; they are always linked to some community-level issue involving real people struggling to live their lives. For example, the issue of inefficient use of water, caused by leakage and faulty use of irrigation water, is linked to factors involved in the sustainability of SSI. Some of the factors that need to be taken account of are:

1. Predicting the available surface water for irrigation and overall planning of an SSI scheme;

2. Possibility of creating user dissatisfaction and thereby de-motivating community interest in careful operations and maintenance;
3. Potential for increasing marginal cost to maintain and repair beyond those justified by production gains;
4. Possible social conflict due to some users not receiving their expected share, and
5. Potential for undermining expected returns, increasing the unit cost for irrigation, and thereby diminishing the reason for choosing SSI as a food security strategy option to begin with.

An overall suggested mitigation measure to respond to these factors is to valorize the resource base, so as to rationalize and ensure that farmers use the water efficiently. This might include a system of water user fees tied to consumption, improved training of water association officers and farmers, and switching crop choice in expected bad years. Almost all of the mitigation measures proposed to deal with environmental problems involve careful consideration of appropriate farmer/community responses. A particularly detailed section is offered on how to mitigate water related disease hazards.

### **3. LINKING SSI SUSTAINABILITY TO OTHER DEVELOPMENT OPPORTUNITIES**

A section in the PEA is devoted to development opportunities and health implications of USAID Title II (Food for Peace)-funded SSI activities. This provides a blueprint for linking basic crop production and diversification and improved nutrition to a number of different opportunities. A sampling of these is: Linking Child Survival Strategies with Environment-based Primary Health Care Activities, Integrated Management of Childhood Illness, Increasing Women's Participation, and Community Participation and Intersectoral Collaboration.

Throughout this PEA there is a continuous effort to bring environmental issues down to the community level, whether it is a recommendation for an analysis of the financial implications of SSI for the individual farmer, or for enhancing community participation as a development objective. With respect to the latter, the assessment points to the present low rate of true participation as "the hardest challenge of all." It critiques both the type of organizational management and the proliferation of organizations as "top down and top heavy." To offset this tendency, community understanding, and planning and decision-making are the "bedrock on which to build sustainable small-scale irrigation systems." The PEA maintains that a strategy for developing community participation requires "genuine participatory management capabilities," embedded in a functional Water Users Association. Such an association should be, according to the assessment, "one of the defined and measurable objectives of SSI development."

### **4. MAKING A CASE FOR ENVIRONMENTAL GOVERNANCE**

This PEA fulfills both the spirit and letter of USAID procedures of the environmental review process. First, it began with the initial scoping exercise, through proactive consultations with stakeholders, leading to clear linkages between environmental issues and community conditions. Social issues are thus ranked right up there with technical and environmental health issues, mainly because they are intimately linked to the effective functioning of the SSI system. While SSI management groups do not yet comprise genuine water user associations, they have the potential to become those, at which point they could be defined as filling a civil society function.

A full blown system of water user associations will eventually be able to advocate, or otherwise make demands that will make for more responsive government.

So, too, the assessment's linkage of environmental concerns to such issues as child survival and primary health care has implications for improved governance. The implications lie in the fact that it is government that must assume responsibility for dealing with these critical issues. Furthermore, the critique of too much top-down authority also implicates government, implying that less authority from the top would be better. In effect, an improvement in this situation implies a process of decentralization or devolution, both of which are part of good governance. The PEA's plea for "genuine participatory management capabilities" is also closely linked to national and local governments' empowering and enabling the citizenry.

## **F. A BRIEF SYNTHESIS OF DEMOCRATIC GOVERNANCE REPRESENTED IN THE MINI-CASES**

The following matrix is an inventory of democratic governance applications represented in the mini-cases presented above. Democratic governance functions, included in the D&G repertoire, are represented in the eight functions in the left-hand column of the matrix. Across the top are the mini-cases reviewed. An initial caveat about this matrix is that it is in no way intended to be a 'rating' of the mini-cases. Rather, it intends to give a general, admittedly somewhat impressionistic, sense of whether the mini-cases reflect a concerted effort to incorporate elements of democratic governance. In effect, the five mini-cases reflect varying degrees of progress towards the achievement of the norms of democratic governance. Some of the assessments deliberately set out to invoke as much activity in the democracy and governance domain as they possibly could. Others had no such intention.

The small-scale irrigation PEA in Ethiopia, for example, brought into play almost every D&G function listed. The Guinea co-managed forests case was, in fact, a deliberate attempt by the Africa Bureau to link environmental concerns with democratic governance. Others either did not or could not invoke such interplay of DG forces. For example, the Africa-wide insecticides case dealt mainly with selected community survey data and normative environmental health statistics, so in this sense purposely did not invoke 'participatory' behavior during the PEA itself. Nevertheless, that case still fits some of the governance criteria. Interestingly, it is the one case that fulfills the protection of human rights criterion, in that the objective of the activity is to protect life/prevent death.

'Show case' Madagascar is replete with rich examples of assessments which underscore democratic governance. As for Guinea, one of the three brief examples for Madagascar is another cross-sectoral approach promoted by the Bureau. The Tanzania park roads assessment is a bit of an anomaly because, while it proposes to follow Agency environmental procedures, the governance footprints of that process are faint. Otherwise, the technical, environmental analysis represented by that assessment is exemplary.



**PROGRESS TOWARDS DEMOCRATIC GOVERNANCE REFLECTED  
IN THE FIVE MINI-CASES**

<b>Democratic Governance Function</b>	<b>Co-Management Guinea</b>	<b>"Show Case" Madagascar</b>	<b>Parks Roads Tanzania</b>	<b>Insecticides Africa-wide</b>	<b>Irrigation Ethiopia</b>
1. Promotes and protects human rights	NO	NO	NO	Y	NO
2. Promotes the rule of law	Y	Y	Y	Y	Y
3. Reinforces the principles of inclusion, participation, and competition in all sectors of society	Y	Y	?/NO*	?	Y
4. Strengthens public and private institutions of democratic governance	Y	Y	?/NO	?	Y
5. Makes integrity, accountability, transparency, and responsiveness to citizens at all levels of governance the norm	Y	Y	?/NO	Y	Y
6. Overcomes the insidious legacies of authoritarian rule	Y	Y	Y	?	Y
7. Facilitates a deepening of citizen participation and cultural commitment to democratic norms	Y	Y	?	?	Y
8. Reinforces the links between political development and both economic and social development	Y	Y	Y	NO	Y

\* ?= "not sure, ?/NO=appears that this DG function is not present"

Some of the mini-cases presented here represent fledgling attempts to marry the environment to democracy and governance. Others, however, underscore the progress that can be made by employing the environmental assessment as a vehicle for the promotion of D&G and, the converse, by using democracy and governance tools to deepen and broaden environmental results. It has become clear from these cases that the well-intentioned use of environmental assessment tools can and does create opportunities to achieve positive change in each of these critical development domains.

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## CHAPTER 4

### PRACTICAL APPLICATIONS TO ENHANCING THE ENVIRONMENT-DEMOCRACY LINKAGE

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This chapter is not intended to be a theoretical discourse on how or why the synergy of the environmental and democratic governance linkage seems to work. Rather, it is a practical review of how the environmental review process (ERP) can be elaborated, through the application of some additional techniques found in the toolkits used by democracy and governance and general development professionals alike. Our operating premise is that a win-win relationship is possible in linking the ERP to a democratic governance approach to development. That is, we assume that the ERP can be broadened and deepened by the introduction of democratic governance (DG) principles and approaches, leading to improved environmental development. Furthermore, we believe that the use of the ERP, in combination with DG principles and approaches, can lead generally to improvements in the way a democratic society performs.

#### **A. SELECTED DONOR APPROACHES TO LINKING DEMOCRACY AND THE ENVIRONMENT**

##### **1. USAID APPROACHES**

Several efforts have been made by USAID and its partners to define and describe the benefits of cross-sectoral linkage, especially those comprising principles and approaches to democratic governance. Such efforts are reflected, first, in general, conceptual perspectives on the democracy-development linkage; second, in specific considerations of the democracy-environment linkage; and, third, in field activities that test the democracy-environment linkage.

A recent and general treatment of the democracy-development linkage by Lippman, in "Linking Democracy and Development: An Idea for the Times," represents the first perspective. Lippman's analysis of several cases concluded that, "When development projects are infused with democratic principles and approaches ... a cycle of benefits accrues."

In a more targeted study, of the second type, Brinkerhoff and Veit note in their report, "Links between Democratic Governance and Environmental Policy in Africa," "that democratic governance enhances sector reforms by improving enabling environments." It also contributes, they suggest, to more efficient and effective sectoral reform.

An even more targeted perspective, found in "Legislatures, Civil Society and the Environment," by Veit, Faraday and Tumushabe, refers to a concrete example, that of the Ugandan "legislature working with civil society to exercise its oversight powers in the sphere of natural resource management."

The third type, field activities that test the environment-democracy linkage, is represented in our review in Chapter 2 of the Africa Bureau's strategy to create cross-sectoral linkages through democratic governance. Case studies on Guinea, Madagascar, Zambia and Zimbabwe

bear directly on the issue of environmental governance. Finally, the case studies in Chapter 3, for the most part, reflect the Bureau strategy of linking democratic governance with development activities. More specifically, as we have seen, these cases directly address the linkage of DG and the environment.

## **2. WORLD BANK APPROACHES**

It is appropriate to mention that World Bank policies and tools developed for purposes of environmental assessment, owe much to USAID's ERP. In many respects, World Bank procedures for carrying out environmental assessments mirror USAID's. The World Bank's use of such terms as 'screening,' 'scoping,' 'public consultation,' and 'disclosure' attests to the borrowings from USAID. That said, in many respects, the World Bank has gone beyond USAID in elaborating methods and techniques for incorporating different forms of public participation in the ERP. And, while the World Bank may not define these techniques as 'democratic' *per se*, for our purposes we will consider them as key tools, which have the potential to contribute to the achievement of environmental-democratic governance. Here, we focus on some of those techniques.

World Bank policy on environmental assessments (EA) is clear on the role of participation: "EAs must be prepared ensuring maximum participation of all stakeholders, especially affected peoples and NGOs." Furthermore, this policy establishes that participation "should be a continuous process from identification through completion and beyond." With specific reference to its sub-Saharan Africa environment strategy, the World Bank views the environment as "intrinsically cross-sectoral," although it recognizes that most direct environmental action still has to be achieved through sectors. The World Bank has targeted for intensive environmental management the following sectors: agriculture and rural development, natural resource management, urban development, water resource management, transport, health, and private sector development. Overall, the Africa strategy underscores the role of constituency building, in contrast to a "supply-driven-mentality", whereby external conditionalities are imposed. Finally, this strategy eschews the creation of "overly ambitious and ultimately ineffective institutions" built on external funding.

The World Bank's series 'Environmental Assessment Sourcebook Update' has devoted considerable space to environmental assessment requirements. Under the topics of information disclosure and consultation, this series depicts in detail methods and techniques for incorporating people into the ERP. As a ground rule, World Bank procedures require that affected groups and NGOs receive information in a "language meaningful to the groups being consulted." Types of information disseminated include a summary of a project description and its potential negative impacts.

On the assumption that most affected people do not have the time, willingness, organization or resources to find EA information on their own, the above Sourcebook recommends the use of the mass media, such as local television, radio, newspapers and leaflets in local languages to reach affected populations. For Africa in particular, it is suggested that consultants and implementing agencies work with local traditional decision-making bodies and leaders in disseminating information derived from assessments. Furthermore, a concerted effort should be made to deal with ethnic, religious, gender, and racial boundaries, so as to enable 'marginal' peoples to voice their concerns. Similarly, attention should focus on people living in remote

areas, especially 'indigenous people,' who may not speak the same language, nor have the skills to interpret relevant information.

Consultation with affected groups is proposed to occur in the 'environmental screening stage,' or, in World Bank language, before the EA is scoped out. Affected groups are here identified as intended beneficiaries of a project, at-risk groups, and stakeholders. At that stage, the extent and method of disclosure is considered, as well as the possibility of participation, and includes the identification of affected groups and NGOs. Participation commonly includes a higher level of involvement of affected groups in decision-making than does consultation. Furthermore, participation is not required, unless a project affects 'indigenous people' or involves 'involuntary resettlement.' The highest degree of participation is defined as: the direct involvement of affected people or NGOs in the preparation and implementation of the project, including the EA itself.

At the scoping stage of an EA, affected groups and NGOs are specified, methods of consultation and participation defined, and a public consultation forum established. Continuation of the consultation process is then elaborated for the remainder of the World Bank's program cycle, including appraisal, loan agreement, supervision of implementation, and evaluation. It is noted that, since loans are the predominant mechanism for development used by the Bank, the borrower has a strong voice in shaping the EA process.

The World Bank EA process is rounded out by a recommendation to establish during scoping, a Consultation or Participation Framework. Such a framework defines what, when, who, where, and how the consultation process will proceed. Namely, it is used to define the following: issues to be discussed and not discussed, timing, sampling of participants (including their representativeness), place(s) and forums; also methods, such as surveys, focus group discussion, panels, etc., and documentation and dissemination methods.

Some of the common risks faced by the consultative process are: delays and excessive costs, raising false expectations and anxieties, politically volatile situations, and resources going to people for whom they were not intended. These risks can be avoided through diligent planning of the EA process.

We have a reservation about World Bank concerns for representing the 'human face' in its undertakings. An internal review of the World Bank's experience finds that consultations with local communities have, in fact, been rather limited. This is especially the case for women and the poor, more notably landless or disenfranchised people - except in cases of involuntary resettlement and indigenous people, where consultation is mandatory. Thus, while the World Bank's highly crafted publications reflect a certain rhetorical flourish, the fact is that consultative-participatory aims are much more easily 'said than done.'

## **B. LINKING THE ENVIRONMENTAL REVIEW PROCESS TO DEMOCRATIC-ENVIRONMENTAL GOVERNANCE TECHNIQUES AND APPLICATIONS**

There is no reason to think that, in striving to meet the objectives of environmental governance, environmentalists and democracy-governance specialists alike would disagree on certain "core values" and behaviors that define a democracy. If environmental governance were being

achieved, then we could probably agree on what some of those core values and behaviors would be. Based in part on the earlier-mentioned work of Groelsema on cross-sector linkage, these might include:

1. Officials and citizens accept a rule of law;
2. Government power is exercised within that rule of law;
3. Government officials are accountable and responsible to the people;
4. Some form of regular and open competition for control of government occurs;
5. Citizen participation is accepted and valued in government decision making;
6. Transparency in government transactions and decisions is an accepted norm;
7. Freedom of information and the media's right to investigate and publish exist; and
8. Citizens own the right to organize to advance their own or the public interest.

The quest for environmental governance may not fulfill all of the above values or behaviors. Nor should it have to. Even if it meets several of these, while at the same time achieving laudable environmental goals, then we are getting 'the best of both possible worlds.'

Several of the examples and mini-cases of environmental governance that we have reviewed reflect many of the above values/behaviors. Implicit in most of the efforts reviewed is acceptance by government officials of the rules of the game (#1), that define adherence to scoping exercises, public notification processes, and design of mitigation plans. That government does not overstep its bounds in the implementation of the ERP (#2) was also implicit in the cases reviewed. Accountability of government officials (#3, an extension of #2) is inherent in their acceptance of the transparency of the scoping, public disclosure, and monitoring processes. We have not witnessed the benefit of the fourth value/behavior (#4), but can easily envision the benefit to the ERP of free and open elections.

Citizen participation (#5) is seemingly the cornerstone of environmental governance, at least for the kinds of projects we have reviewed. These are mainly grassroots activities, in which affected groups are usually frontline actors. Transparency (#6) is very clearly visible in the 'triumvirate' of environmental procedures: scoping, public disclosure, and monitoring of mitigation activities. While we have not focused on the role of the media (#7), its role is preeminent in disseminating the necessary information in certain examples of public disclosure. Investigative reporting is an extension of this value, which is beginning to play a role in some developing societies, though it is probably not the norm at this stage, in their development of an environmental conscience. The last (#8) is implicit in many of the projects we reviewed, though we accepted the fact that the NGOs or civil society organizations referred to were often already formed. Obviously, some process of raising awareness was necessary to push individuals and groupings to organize themselves to take on environmental issues as their cause.

## **1. ENVIRONMENTAL GOVERNANCE APPLICATIONS AND TOOLS**

The reference to 'applications' in the heading of this section may not be readily apparent from our above review of democratic values and behaviors. However, if we reconsider the mini-cases and other materials dealing with USAID and World Bank practices, an inventory of practices begins to emerge. Whether we can link these practices to strict definitions of civil society, rule of law, or governance is irrelevant. In fact, these three, broad concepts themselves

overlap so much, it is not worthwhile here to dissect them. Nevertheless, the steps in the ERP provide an excellent lens through which to view the applications and tools that we call 'environmental governance techniques and applications.' The accompanying matrix, representing the steps in USAID's ERP, provides a systematic framework for reviewing the kinds of democratic governance techniques that apply to that process. Our subsequent discussion revolves around that matrix.

***Initial Environmental Examination (IEE):*** The IEE (step 1) provides a strong opening for the application of DG principles and approaches, namely establishing who, in the most detailed sociological and political sense, should participate in the initial review. Identifying representative persons, stakeholders, and including, importantly, affected populations, for participation in the review process is, simply put—not easy. It requires not only skilled sociopolitical research and understanding to accomplish, but also polished skills in finessing social and political hierarchies, so that the 'right' people are represented in the second step, namely, scoping.

***Scoping Exercise:*** The scoping exercise (step 2) requires knowledge, not only of the socioeconomic and political composition of the people considered for participation - but also demands know-how in determining the appropriate mode of consultation for different kinds of people. These may be people who do not see eye-to-eye on environmental issues, much less on the surrounding issues of resource control and the implications that this has for political and economic domination. Knowing how to manage conflict, in the context of natural resources management, is a specialty all its own. Such knowledge can be used in the scoping exercise to mitigate the level of conflict, before it even reaches the surface. It is so important to try to get the playing field level at this step of the ERP, that strong sociopolitical skills and in-depth knowledge are critical.

***Public Disclosure:*** The requirement for public disclosure (step 3) is the point at which a review should be made of a country's laws and legislation pertaining to public consultation. This procedure requires a careful mapping of the methods for disclosure, including selection of an effective facilitator. It provides an opportunity to bring in local interest groups, namely NGOs and other civil society organizations, and aims at achieving a broad, informed representation of critical environmental as well as sociopolitical and economic issues. Clearly, sensitivity must be demonstrated in dealing with complex political-environmental interests addressed in a public disclosure session. While public disclosure forums can be held before, during and after an assessment, the most common practice seems to be to hold them following completion of the assessment.

## DEMOCRATIC-ENVIRONMENTAL GOVERNANCE TECHNIQUES AND APPLICATIONS TO THE ENVIRONMENTAL REVIEW PROCESS

Step in USAID Environmental Review Process (ERP)	Relevant Democratic-Environmental Governance Applications/Techniques	Expected Environmental Governance Achievements	Democratic Governance Inputs
<b>1. Initial Environmental Examination</b>	Pre-assessment data collection on: political structure; local and national environmental legislation; history-culture of consultation-participation; ethnic, religious, gender, racial, & social class boundaries; role of landless farmers, migrants, indigenous peoples; assist in identifying affected groups, NGOs	ERP: -- Informed by local as well as broader knowledge and perceptions -- Becomes more transparent -- More inclusive	-- Rule of Law -- Civil Society
<b>2. Scoping Exercise</b>	Finalize identification of affected groups & other stakeholders; ensure role of private interest groups; select mode of consultation-participation; select techniques for: <i>conveying information</i> (e.g., leaflets, print, electronic media); <i>listening to stakeholders</i> (e.g., survey, focus group, conference); <i>involving stakeholders in decision-making</i> (advisory, problem-solving, consensus-building, arbitration); account for social hierarchies & information channels in collection of information	ERP: -- More participatory -- Broader in scope & # of constituencies involved -- More practical in solving contentious problems before they explode	-- Civil Society -- Governance
<b>3. Public Disclosure</b> (Can occur as part of scoping & during or after an assessment)	Review national legal-legislative requirements and practice regarding public consultation; develop process for disclosure of methods, findings, proposals; define goals; identify effective implementers/facilitators; identify local NGOs to facilitate; plan timing; be attentive to site-specific, political sensitivities, and historical background; use for raising awareness of environmental concerns	ERP: -- Seen as supported by rule of law -- Provides sense that all citizens are protected under the law -- Permits potential problems to be aired before they become uncontained -- Strengthens civil society organizational role as steward of the environment	-- Rule of Law -- Civil Society



Step in USAID Environmental Review Process (ERP)	Relevant Democratic-Environmental Governance Applications/Techniques	Expected Environmental Governance Achievements	Democratic Governance Inputs
4. Assessment	Field test major social, political, & economic issues raised in scoping and disclosure contexts; ensure stakeholder concerns addressed in assessment; incorporate stakeholders in assessment where feasible; use exercise for community empowerment where possible; look for environmental-DG linkages with environmental health, primary health care, childhood illnesses, women's participation, etc.	ERP: <ul style="list-style-type: none"> <li>-- Facilitates a practical test of assumptions about social and political constraints &amp; opportunities</li> <li>-- Provides more inclusiveness of civil society</li> <li>-- Promotes potential for greater integration of environmental &amp; other programs</li> <li>-- Reinforces the links between economic and political development</li> <li>-- Can be a vehicle for community empowerment</li> </ul>	<ul style="list-style-type: none"> <li>-- Rule of Law</li> <li>-- Civil Society</li> <li>-- Governance</li> </ul>
5. Finalization of Mitigation Plan	Ensure stakeholder concerns about social equity addressed in mitigation plan; incorporate community role in mitigation to extent feasible; make clear the trade-offs to community/stakeholders of old ways vs. new ways; former benefits vs. new benefits (short- & long-term)	ERP: <ul style="list-style-type: none"> <li>-- Addresses issues of social equity</li> <li>-- Encourages local participation</li> <li>-- Promotes local understanding of environmental impact &amp; the need for trade-offs</li> </ul>	<ul style="list-style-type: none"> <li>-- Civil Society</li> </ul>
6. Finalization of Monitoring Plan	Create a monitoring plan that is understandable to the community; include stakeholders in data collection; create formal channel for disclosure of environmental monitoring results;	ERP: <ul style="list-style-type: none"> <li>-- Introduces values of accountability &amp; transparency to stakeholders</li> <li>-- Gives affected groups a better sense of local impact, including benefits to them</li> <li>-- Provides sense of inclusiveness</li> </ul>	<ul style="list-style-type: none"> <li>-- Governance</li> <li>-- Civil Society</li> </ul>

Step in USAID Environmental Review Process (ERP)	Relevant Democratic-Environmental Governance Applications/Techniques	Expected Environmental Governance Achievements	Democratic Governance Inputs
7. Implementation	Establish transparency in implementation of ERP recommendations; include affected group and local NGOs in implementation where appropriate; establish procedures for receiving stakeholder complaints, questions or comments	ERP: -- Reinforces principles of inclusion -- Strengthens civil society role -- Creates transparency & accountability for use of public monies	-- Civil Society -- Governance
8. Evaluation	Assess effectiveness of scoping and consultation processes; consult stakeholders for their assessment/ reflections on project impact (in case of post-hoc or impact evaluation); include stakeholders on evaluation team where feasible	ERP: -- Makes project accountable to affected groups -- Promotes value of citizen participation	-- Governance -- Civil Society

**Assessment:** The assessment (step 4) itself is the place where issues raised in the aforementioned scoping exercise and public disclosure session, are put to the test of field observation. This is the exercise that ensures that stakeholder concerns are fully considered. It also offers an opportunity for representative members of affected groups to participate in the data collection, where feasible. In the same instant, an assessment can serve as a way of empowering the affected community. Where possible, the field research offers an opportunity to uncover unforeseen linkages, for example, among environmental conditions and health, primary health care, and women's participation.

**Finalization of Mitigation Plan:** Finalizing the mitigation plan (step 5) is an important step in the ERP, because it not only presents key environmental issues to be addressed, but also maps out a plan of action for affected groups. It is in this exercise that active participation can and should be encouraged. Such participation has two purposes: one, to make sure the affected group understands the risk of not taking action and the benefits of taking concrete steps and, two, to engage them in the actual 'work' of implementing a mitigation plan.

**Finalization of Monitoring Plan:** Similarly, for the task of finalizing the monitoring plan (step 6), making sure that affected people understand why, how, and what is being monitored, is critical for their participation, whether passive or active. It is better, however, that their participation be in the active mode, because it will empower them, give them a sense of the project's benefits to them, and raise their environmental awareness. Not least, participation in monitoring introduces the values of accountability and transparency to the process by which a government serves its constituents and to the manner in which citizens interact with their government.

**Implementation:** The process of implementation (step 7) represents the longest and most intensive interaction of project personnel and affected people. It is also a point in the project cycle where civil society objectives can be effectively met. By incorporating local NGOs,

including 'advocacy' organizations, other civil society organizations, and affected groups, the principles of inclusion and civil society strengthening can be realized. Implementation also offers possibilities for enacting principles of transparency and accountability, through, among others, the introduction of a 'complaint process.' When an environmental management team is open to questions, observations, and complaints from local participants or 'beneficiaries,' it exercises its role as a responsible agent in safeguarding the public interest.

**Evaluation:** Evaluating an environmental intervention (step 8) is the point in the ERP where the overall effectiveness of the scoping, disclosure, consultative, and participatory processes are assessed. An evaluation can be implemented as a 'process evaluation,' performed while a project is still in place, in order to observe the effectiveness of the community's role in achieving objectives. It can be performed at the end of the activity (in which case the ERP is considered, in effect, to endure through completion of a project) - to assess both 'technical' and democratic governance benefits (combined as environmental governance benefits). Or an evaluation can be carried out several years down the road (impact evaluation) to determine whether these same benefits are continuing. Whatever the form of the evaluation, the process itself contributes to the principle of accountability to both the affected, as well as to the greater community. If local members of the affected group are included in the evaluation activity, then that contributes directly to the value of citizen participation.

The techniques and applications described earlier in the matrix and in the text are reasonably easily adapted to the ERP, in terms of what kind of D&G specialist might perform specific parts of an environmental assessment. For example, roles and responsibilities can be easily defined for purposes of drafting scopes of work and terms of reference for environmental assessment teams.

The last column in the matrix defines specifically democratic governance inputs. While these are inherent in the environmental governance applications and techniques (second column), they are underscored in order to show the overlap with categories used by Democracy and Governance specialists. For all eight steps in the ERP except one, namely, finalizing the mitigation plan - there is overlap among at least two, and in two cases three, of the main D&G areas.

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The next chapter addresses the question of how to formalize the role of the environmental review process for the purpose of developing and sharing it as a tool for introducing democratic governance in rural Africa. To reiterate our theoretical premise from the outset of the report: since natural resources are rural Africans' source of power and wealth, natural resource management and environmental review represent the two major channels for the introduction of democratic governance in rural Africa.

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## CHAPTER 5

### RECOMMENDED APPROACH TO STRENGTHENING DEMOCRATIC GOVERNANCE IN THE ENVIRONMENTAL REVIEW PROCESS

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We reviewed in the last chapter some of the types of applications and tools that can enhance the environmental review process (ERP) and, as well, improve the chances for better governance. We also briefly outlined possible achievements in the area of environmental governance. Here we recommend a process for how these applications and tools might be organized and coordinated among environmental scientists and specialists in democracy and governance. This process consists of practical steps for, (a) maximizing environmental governance achievements and (b) optimizing democratic governance benefits. In effect, we are conceptualizing these two as hand-in-glove, as practically one and the same. Environmental governance is, in effect, a subset of democratic governance.

At the same time, we underscore the part that the environmental review process can and should play, not just in ensuring environmental soundness, but in empowering rural Africans to participate in and “demand more” from the ERP. The result would be to enhance both environmental and democratic development.

#### A. PRACTICAL STEPS FOR SYNERGIZING THE DEMOCRATIC GOVERNANCE AND ENVIRONMENT LINKAGE

A broad-based recommendation concerns how to organizationally ‘synergize’ the environment and democracy-governance linkage through the joint implementation of the ERP by democracy and government and environmental specialists. It is followed by the delineation of a process for systematizing the ERP as a tool of democratic governance. Institutionalizing that process is aimed at environmental specialists and democracy and governance officers throughout USAID (in Missions and regional and central offices), in other donor organizations, in international NGOs, and in African-based civil society organizations. The steps of this process mirror those of the ERP itself. We recognize that this formulation is formulaic, and is intended mainly to provide a stimulus for discussion among the potentially collaborative participants in the two sectors.

#### 1. A GENERAL RECOMMENDATION FOR OPERATIONALIZING THE ENVIRONMENTAL REVIEW PROCESS AS A TOOL FOR PROMOTING GOVERNANCE IN THE AFRICAN RURAL CONTEXT

*General Recommendation: Africa Bureau Office of Sustainable Development—Agriculture, Natural Resources, and Rural Enterprise Division environment program managers - should take the lead in organizing a comprehensive discussion, that would bring together a broad spectrum of environmentalists and democracy and governance specialists to dialogue on ways to operationalize the ERP, as a tool for promoting governance in the African rural context. At the heart of such a dialogue is the application of the ERP as a proactive approach to bringing*

*more transparency, accountability, participation, and predictability to rural Africans in their access to and management of the environment.*

Following an initial dialogue (which should probably take the form of a conference), a subset of participants should consider the formation of a Task Group to Operationalize Environmental and Democratic Governance Synergies. This Group would coordinate a series of meetings to discuss/advocate the importance of the ERP's role in democratic governance and environmental soundness, in the context of rural Africa. These meetings are intended, not only to contribute to improving environmental governance outcomes, but also to help obviate the stove-pipe character of standalone projects in either the democracy and governance, or environment sectors.

The earlier matrix, Democratic-Environmental Governance Techniques and Applications to the Environmental Review Process, could serve as an organizing framework for the dialogue-conference and follow-on activities.

## **2. A TRAINING FRAMEWORK FOR ENRICHING THE ENVIRONMENTAL REVIEW PROCESS**

Once the initial dialogue/conference has been convened, a series of specific, individualized trainings should be considered. These will bring together environmentalists and D & G specialists, with an interest in African rural development issues, to discuss how to cooperate in enhancing the eight steps of the ERP outlined throughout this report. The following includes some guidelines for what might be considered for inclusion in the content of training sessions designed to address each of the eight steps. Illustrative training outcomes are presented for each step. Some of the steps could be combined for training module purposes.

### ***Step 1: Initial Environmental Examination***

For this first step in the ERP it is critical to collect appropriate knowledge and information in identifying affected groups and stakeholders, and on the social and political spaces which these groups occupy in society and in the political economy. Cooperation among DG and environmental specialists would greatly enhance this step. A training outcome would be the improved capacity to achieve greater transparency in the ERP design, as well as broader stakeholder inclusion in the ERP.

### ***Step 2: Scoping Exercise***

Important to this step of the ERP, is D & G input into finalizing the identification of affected groups and other stakeholders, for the purpose of involving the latter in the ERP. D & G specialists could play an important role in delineating a specific method of consultation-participation - accounting especially for how to moderate the role of social hierarchy and privileged channels of information. A training outcome would be an improved understanding of the importance of a broader airing of environmental issues and the possibility of resolving differences before they become conflictive.

### ***Step 3: Public Disclosure***

For step 3, the focus is cooperation among environmentalists and D & G specialists in the review of national legal-legislative requirements and practice regarding public consultation. Such cooperation could lead to the development of a refined methodology and process for promoting disclosure, including the incorporation of site-specific, political sensitivities. A training benefit would contribute to the improved understanding of the importance of assuring citizens that they are protected equally under the law.

### ***Step 4: Assessment***

This step is critical, since it represents the point at which D & G and environmental specialists would participate together in the assessment itself. Here, the focus is to field-test major social, political, and economic issues raised in the scoping and disclosure exercises. It is also the point in the ERP where stakeholders need to be ensured that their concerns are addressed in the assessment. A training benefit would be to increase knowledge in how to provide a practical test of assumptions about social and political constraints and opportunities.

### ***Step 5: Finalization of the Mitigation Plan***

Step 5 introduces to the D & G and to environmental audience a process to help ensure that stakeholder concerns about social equity issues are addressed in the mitigation plan. The focus here is the social and political dynamic of how best to incorporate the community role in mitigation. A training outcome would be improved understanding of how to locate appropriate trade-offs for the community and stakeholders in new vs. old benefits, and in how to address issues of social equity.

### ***Step 6: Finalization of the Monitoring Plan***

This step includes the process of rendering the monitoring plan more understandable to the affected groups and to the public at large. Here the emphasis would be on the details of how to design a data collection plan that could include the participation of affected groups and local NGOs, as well as other stakeholders, and also a plan that could advise on the best channels for public disclosure of environmental monitoring results. A training result might be the improved understanding of the process of how to increase public trust in the accountability and transparency of an environmental intervention.

### ***Step 7: Implementation***

Step 7 would focus on establishing transparency in the implementation of ERP recommendations, including the possibility of the participation-consultation of affected groups and local NGOs. This includes the formulation of procedures for receiving stakeholder complaints, questions or comments. A training lesson could be improved knowledge of the need to reinforce principles of inclusion and of contributing to citizen perceptions that public monies are being used accountably.

### **Step 8: Evaluation**

This step of the ERP would emphasize the joint cooperation of environmental and D & G specialists in evaluations to assess the effectiveness of scoping and consultation processes, and of the participatory-consultative character of mitigation and monitoring activities. Here, information would be conveyed on the importance of consulting stakeholders for their assessment of project impact, and even of the possibility of stakeholder participation, where feasible, on an evaluation team. A training result would be an enhanced knowledge of the need to support the principle of accountability to affected groups and to the larger public alike, as well as to promote citizen participation.

### **3. NEXT STEPS**

We propose that the Africa Bureau Office of Sustainable Development—Agriculture, Natural Resources, and Rural Enterprise Division - consider organizing the above comprehensive discussion to unify environmentalists and democracy and governance specialists on the use of the ERP as a tool for promoting governance. Furthermore, that Office should review, with its constituents here and abroad, the interest or demand for a series of trainings, as proposed in the previous section.

A power point presentation developed specifically to accompany this paper has been designed to promote the synergizing of the democratic governance and environment linkage

### **B. CONCLUSION**

Upon reviewing: i) the USAID environmental review process (ERP), ii) Africa Bureau approaches to cross-sectoral linkage, iii) democracy and governance inputs to environmental governance, iv) several case studies of linkage, and v) donor approaches to participation and consultation, certain conclusions can be drawn.

*First*, the ERP itself can become an effective vehicle for democratically-induced change in the area of managing the environment, since it opens the door to both consultative and participatory approaches to development. *Second*, cross-sectoral linkage among environment and democratic governance appears to result in a synergy whose total is greater than the sum of its parts. *Third*, democracy and governance across the Agency, among other donors, and as practiced by international NGOs and African civil society organizations, might benefit from the cross-sector synergy, in terms of optimizing democratic governance benefits. *Fourth*, there are well-developed tools and applications that lend themselves effectively to the task of promoting environmental governance. *Fifth*, these elements gathered together, in the context of a training package, could combine to make a convincing case for formalizing the linkage of relevant environment and democracy-governance objectives and programs.

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## ANNEXES

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## ANNEX 1

### PERSONS CONTACTED

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